

## DECLARATION FOR PATENT APPLICATION

Drawing Number: BHV-305.01

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD FOR PURIFYING FACTOR VIII/VWF COMPLEX BY CATION-EXCHANGE CHROMATOGRAPHY

the specification of which (check one): ☐ is attached hereto.  
☒ (x) was filed on 02/27/98 as <sup>International Patent</sup> ~~United States~~ Application Number PCT/AT98/00043, and was amended on 09/17/98 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulation, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

<u>A 338/97</u> (Number)	<u>Austria</u> (Country)	<u>27/February/1997</u> (Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States Provisional application(s) listed below.

<u>                    </u> (Application Number)	<u>                    </u> (Filing Date)
<u>                    </u> (Application Number)	<u>                    </u> (Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>                    </u> (Application Number)	<u>                    </u> (Filing Date)	<u>                    </u> (Status: patent, pending, abandoned)
<u>                    </u> (Application Number)	<u>                    </u> (Filing Date)	<u>                    </u> (Status: patent, pending, abandoned)


I hereby appoint Beth E. Arnold, Reg. No. 35,430; Paula Campbell, Reg. No. 32,503, Charles H. Cella, Reg. No. 38,099; Isabelle M. Clauss, Reg. (see attached); Edward J. Kelly, Reg. No. 38,936; Donald W. Muirhead, Reg. No. 33,978; Chinh Pham, Reg. No. 39,329; Diana Steel, Reg. No. 43,153, Matthew P. Vincent, Reg. No. 36,709; and Anita Varma, Reg. No. 43,221 as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all telephone calls to Beth E. Arnold at telephone number (617) 832-1000.

Address all correspondence to: Patent Group  
Foley, Hoag & Eliot LLP  
One Post Office Square  
Boston, MA 02109-2170

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Full name of sole or first inventor (given name, family name): Artur MITTERER

 04/October/1999  
Inventor's signature Date

A-2304 Mannsdorf No. 116, Austria Austria  
Residence Citizenship

A-2304 Mannsdorf No. 116, Austria  
Post Office Address (if different)

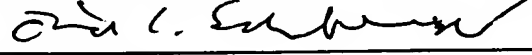
Full name of second or joint inventor, if any, (given name, family name): Bernhard FISCHER

 04/October/1999  
Inventor's signature Date

Wilhelminenstrasse 95/C/17, A-1160 Vienna, Austria Germany  
Residence Citizenship

Wilhelminenstrasse 95/C/17, A-1160 Vienna, Austria  
Post Office Address (if different)

Full name of third inventor (given name, family name): Öyvind L. SCHÖNBERGER

 04/October/1999  
Inventor's signature Date

Schopenhauerstrasse 52/7, A-1180 Vienna, Austria Germany  
Residence Citizenship

Schopenhauerstrasse 52/7, A-1180 Vienna, Austria  
Post Office Address (if different)

Full name of fourth inventor (given name, family name): Kathrin THOMAS-URBAN  
Kathrin Thomas-Urb 04/October/1999  
Inventor's signature Date  
Kartaeuserstrasse 149, D-79104 Freiburg, Germany Australia  
Residence Citizenship  
Kartaeuserstrasse 149, D-79104 Freiburg, Germany  
Post Office Address (if different)

Full name of fifth inventor, if any, (given name, family name): Friedrich DÖRNER  
F. Dörner 04/October/1999  
Inventor's signature Date  
Peterlinigasse 17, A-1230 Vienna, Austria Austria  
Residence Citizenship  
Peterlinigasse 17, A-1230 Vienna, Austria  
Post Office Address (if different)

Full name of sixth inventor (given name, family name): Johann EIBL  
Johann Eibl 04/October/1999  
Inventor's signature Date  
Gustav-Tschermakgasse 2, A-1180 Vienna, Austria Austria  
Residence Citizenship  
Gustav-Tschermakgasse 2, A-1180 Vienna, Austria  
Post Office Address (if different)

Full name of seventh inventor (given name, family name): \_\_\_\_\_  
\_\_\_\_\_  
Inventor's signature Date  
\_\_\_\_\_  
Residence Citizenship  
\_\_\_\_\_  
Post Office Address (if different)

Full name of eighth inventor, if any, (given name, family name): \_\_\_\_\_  
\_\_\_\_\_  
Inventor's signature Date  
\_\_\_\_\_  
Residence Citizenship  
\_\_\_\_\_  
Post Office Address (if different)

206950-00010005



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

MAR 12 2001

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/367,459	05/08/2000	Artur Mitterer	BHV-305.01

CONFIRMATION NO. 4372



\*OC000000005827993\*

Townsend and Townsend and Crew LLP  
Two Embarcadero center 8th floor  
San Francisco, CA 94111-3834

Date Mailed: 03/05/2001

## NOTICE REGARDING POWER OF ATTORNEY

This is in response to the Power of Attorney filed 02/09/2001.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

1000 SEND & TOWNSEND  
5 CREW  
01 MAR -9 AM 10:43  
RECEIVED

*Jason Malwood*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

OFFICE COPY

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
U. S. Patent and Trademark Office  
Washington, D.C. 20231

PATENT  
TTC Dckt. No.: 20695D-000100US  
Client Reference No. US 196

on Sept 20, 2000

TOWNSEND and TOWNSEND and CREW LLP

By Connie Larson  
Connie Larson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mitterer et al. -

Application No.: 09/367,459

Filed: August 13, 1999

For: A METHOD FOR PURIFYING  
FACTOR vWF-COMPLEX BY  
MEANS OF CATION EXCHANGE  
CHROMATOGRAPHY

Examiner: Unknown

Art Unit: Unknown

REVOCATION AND SUBSTITUTION  
OF POWER OF ATTORNEY UNDER  
37 CFR § 1.36

Assistant Commissioner for Patents  
U. S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

Pursuant to 37 CFR § 1.36, Assignee, Baxter Aktiengesellschaft, revokes all previous powers of attorney and hereby appoints the following to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

William M. Smith, Reg. No. 30,223  
Susan M. Spaeth, Reg. No. 35,687  
Scott L. Ausenhus, Reg. No. 42,271  
Lesley S. Craig, Reg. No. 26,578  
Darin J. Gibby, Reg. No. 38,464  
Chad S. Hilyard, Reg. No. 40,647  
Roger T. Barrett, Reg. No. 41,599  
William F. Vobach, Reg. No. 39,411  
Thomas D. Franklin, Reg. No. 43,616  
Patrick M. Boucher, Reg. No. 44,037  
Ronald C. Gorsche, Reg No.: 45,505

Mitterer et al.  
Application No.: 09/367,459  
Page 2

PATENT

Please direct all future correspondence regarding the subject application to:

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111-3834  
Phone (303) 571-4000  
Fax (303) 571-4321

Baxter Aktiengesellschaft

Date: 28-08-2000

Hannelore Loidl

By: Name: DR. HANNELORE LOIDL

Title: PATENT PROFESSIONAL

DE 7021406 v1

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Applicant: Mitterer et al.

Application No.: 09/367,459

Filed: August 13, 1999

For: A METHOD FOR PURIFYING FACTOR vWF-COMPLEX BY MEANS OF CATION EXCHANGE CHROMATOGRAPHY

Baxter Aktiengesellschaft

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is assignee of the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame(s) \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 28.08. 2000

Name: DR MANUELA LOIDL

Title: PATENT PROFESSIONAL

Signature: Manuela Loidl

# ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

BAXTER AKTIENGESELLSCHAFT  
Industriestrasse 67  
A-1221 Vienna, Austria

name and  
address of  
assignee

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to his invention relating to

title of  
invention

METHOD FOR PURIFYING FACTOR VIII/VWF COMPLEX BY CATION-EXCHANGE CHROMATOGRAPHY

as set forth in his United States Patent Application

check one

☐ executed concurrently herewith

☐ executed on \_\_\_\_\_

☒ Serial No. PCT/AT98/00043 Filed 27/February/1998

in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not be made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns, in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;

Each of the undersigned hereby grants the firm of FOLEY, HOAG & ELIOT LLP the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

names and  
signatures  
of  
inventors

Artur Mitterer date 04/October/1999 Bernhard Fischer date 04/October/1999  
Name: Artur MITTERER Name: Bernhard FISCHER

Gyvid L. Schönberger date 04/October/1999 Kathrin Thomas-Urbán date 04/October/1999  
Name: Gyvid L. SCHÖNBERGER Name: Kathrin THOMAS-URBAN

Friedrich Dörner date 04/October/1999 Johann Eibl date 04/October/1999  
Name: Friedrich DORNER Name: Johann EIBL

names and  
signatures  
of  
witnesses

Renate Moldan date 04/October/1999 Ursula Wolf date 04/October/1999  
Name: Renate MOLDAN Name: Ursula WOLF

Note: Prima facie evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.



Hyland Immuno

# Abschritt

Baxter Aktiengesellschaft  
A-1221 Wien, Industriestraße 67  
Telefon: (....43-1) 20 100-0  
Telefax: (....43-1) 203 71 24



## Baxter

### SPEZIALVOLLMACHT

Ich, Gordon H. Busenbark, in  
meiner Eigenschaft als  
rechtsverbindlich  
einzelzeichnungsberechtigter  
Vorstand der BAXTER  
AKTIENGESELLSCHAFT,  
Industriestraße 67, A-1220 Wien,  
Österreich, erteile hiemit  
Spezialvollmacht an

**Dr. Manuela Loidl,**  
geb. am 4.8.1965

Papiere und Dokumente in allen  
Patente und Patentanmeldungen  
betreffenden Angelegenheiten im  
Namen und Auftrag der BAXTER  
AKTIENGESELLSCHAFT allein  
zu zeichnen.

### SPECIAL AUTHORIZATION

I, Gordon H. Busenbark, in my  
capacity as Chief Executive of  
BAXTER

AKTIENGESELLSCHAFT,  
Industriestrasse 67,  
A-1220 Vienna, Austria, being  
entitled to singly sign for and  
singly represent said BAXTER  
AKTIENGESELLSCHAFT in a  
legally binding manner, herewith  
grant special authorization to

**Dr. Manuela Loidl,**  
born on Aug. 4, 1965

to singly sign papers and  
documents in all matters relating  
to patents and patent applications  
in the name and on behalf of said  
BAXTER  
AKTIENGESELLSCHAFT.

Wien, am 11. Juli 2000  
BAXTER Aktiengesellschaft

  
Gordon H. Busenbark

Wien/Vienna  
Datum/Date: 10.7.2000

B.R.Z. 2546/2000

Die Echtheit der Zeichnung der Firma Baxter Aktiengesellschaft, in A-1220 Wien, Industriestraße 67 vertreten durch -----  
Herrn Gordon H. BUSENBARK, geboren am 15.05.1956 -----  
(fünfzehnten Mai neunzehnhundertsechsfünfzig), Prokurist, in ---  
A-1221 Wien, Industriestraße 67 als selbständig -----  
vertretungsbefugter Vorstand wird hiermit beglaubigt. -----

Auf Grund der heutigen Einsichtnahme in das Firmenbuch beim -----  
Handelsgericht Wien wird gemäß § 89a NO (Paragraph neunundachtzig -  
litera a Notariatsordnung) bestätigt, daß Herr Gordon H. BUSENBARK  
Prokurist, als selbständig vertretungsbefugter Vorstand heute -----  
berechtigt ist, die unter FN 113291 f registrierte Firma Baxter ---  
Aktiengesellschaft, mit dem Sitz in Wien allein zu vertreten. -----  
Wien, am 11.07.2000 (elften Juli zweitausend) -----

Certification Register No: 2546/2000

I herewith certify the authenticity and genuineness of the -----  
foregoing signature of , Mr. Gordon H. BUSENBARK acting as Managing  
Director of the Executive Board, duly authorized to sign -----  
individually in the name and on behalf of -----  
----- Baxter Aktiengesellschaft -----  
with principal place of business at Vienna, Industriestraße 67, ----  
1221 Vienna. -----

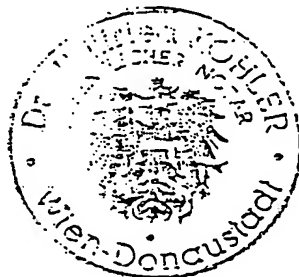
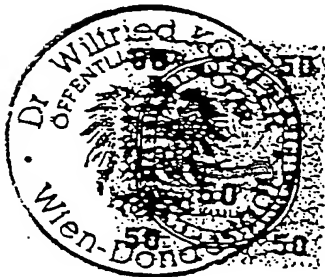
After today's duly inspection of the Commercial Register kept by ---  
electronic data processing I herewith certify pursuant to Section --  
89a Notaries Act that the said Mr. Gordon H. BUSENBARK acting as --  
Managing Director of the Executive Board is duly authorized to ----  
sign individually in the name and on behalf of -----  
----- Baxter Aktiengesellschaft -----  
with principal place of business at, Vienna, Industriestraße 67, ---  
1221 Vienna and registered with the Commercial Register under file -  
number FN 113291 f. -----

IN WITNESS WHEREOF my hand and seal given at Vienna this 11th -----  
day of July, 2000. -----



öf. Notar

Vorstehende Fotokopie stimmt mit der mir vorliegenden,  
aus einem Blatt bestehenden, ungestempelten Urschrift  
wort- und ziffernmäßig vollkommen überein. -----  
Wien, am neunzehnten Juli zweitausend (19.07.2000) ----



  
öffentl. Notar